



United States  
Department of  
Agriculture

Animal and  
Plant Health  
Inspection  
Service

Animal Care  
4700 River Road  
Riverdale, MD  
20737

Ashley Davis  
704 Larry Avenue, Apt. HH  
Graham, NC 27253

CERTIFIED MAIL  
RETURN RECEIPT

Dear Ms. Davis:

The enclosed Official Warning is being issued to you for alleged violations of the Horse Protection Act (HPA) (15 U.S.C. § 1821 *et seq.*). The HPA prohibits horses that are subjected to a practice called soring from participating in auctions, exhibitions, sales, or shows. The HPA also prohibits the transportation of sored horses to or from these events.

Because violations of the HPA can have serious and costly impacts that are detrimental to the public interest, you are warned of these violations. Any further violation of the HPA may result in the assessment of a civil penalty, criminal prosecution, or other sanctions.

If you have any questions concerning this letter, you may contact our office at (301) 851-3751.

Sincerely,

Dr. Chester A. Gipson  
Deputy Administrator  
Animal Care

Enclosure



Safeguarding American Agriculture  
APHIS is an agency of USDA's Marketing and Regulatory Program

An Equal Opportunity Provider and Employer

UNITED STATES DEPARTMENT OF AGRICULTURE  
ANIMAL AND PLANT HEALTH INSPECTION SERVICE



CASE NO.

NC130008-AC

VIOLATOR

Ashley Davis

ADDRESS (Street, City, State, Zip Code)

704 Larry Avenue, Apt. HH  
Graham, NC 27253

The Department of Agriculture has evidence that on or about the date(s) listed below, you or your organization committed the following violation(s) of Federal Law:

Date of Violation: October 12, 2012

**15 U.S.C. § 1824(2) – Unlawful acts**

“The (A) showing or exhibiting, in any horse show or horse exhibition, of any horse which is sore, (B) entering for the purpose of showing or exhibiting in any horse show or horse exhibition, any horse which is sore, (C) selling, auctioning, or offering for sale, in any horse sale or auction, any horse which is sore, and (D) allowing any activity described in clause (A), (B), or (C) respecting a horse which is sore by the owner of such horse.”

**9 C.F.R. § 11.3 – Scar rule**

“The scar rule applies to all horse born on or before October 1, 1975. Horses subject to this rule that do not meet the...scar rule criteria shall be considered to be “sore” and are subject to all prohibitions of ...the Act.”

Ashley Davis entered for the purpose of showing, a horse, “Call Me Buster,” in the North Carolina State Fair Horse Show in Raleigh, NC, which was found sore.

\*\*\* See Continuation Page \*\*\*

**Titles 7 & 9 Code of Federal Regulations were promulgated to help prevent the spread of animal and plant pests and diseases and assure the humane treatment of animals. Since the violations of the regulations can have serious and costly impact detrimental to the public interest, you are warned of this violation. Any further violation of these regulations may result in the assessment of a civil penalty or criminal prosecution. If you have any questions concerning this warning or violation, please contact the listed APHIS official.**

APHIS OFFICIAL (Name, Title)

Dr. Chester A. Gipson  
Deputy Administrator  
Animal Care

SIGNATURE

DATE ISSUED  
12/3/2012

OFFICE ADDRESS:

4700 River Road  
Riverdale, MD 20737

TELEPHONE NO.  
(301) 851-3751

FOR PERSONAL SERVICE - RECEIVED BY: (Name and signature)

DATE RECEIVED:

FOR CERTIFIED MAIL - RECEIPT NO.:

**15 U.S.C. § 1824(7) – Unlawful Acts**

“The showing or exhibiting at a horse show or horse exhibition; the selling or auctioning at a horse sale or auction; the allowing to be shown, exhibited, or sold at a horse show, horse exhibition, or horse sale or auction; the entering for the purpose of showing or exhibiting in any horse show or horse exhibition; or offering for sale at a horse sale or auction, any horse which is wearing or bearing any equipment, device, paraphernalia, or substance which the Secretary by regulation under Section 1828 of this title prohibits to prevent the soring of horses.”

**9 C.F.R. § 11.2(b) (15) - Prohibition concerning exhibitors – Specific prohibitions**

“(b) Specific prohibitions. The use of any of the following devices, equipment, or practices on any horse at any horse show, horse exhibition, or horse sale or auction is prohibited: (15) Metal hoof bands, such as used to anchor or strengthen pads and shoes, placed less than  $\frac{1}{2}$  inch below the coronet band..”

Ashley Davis entered for the purpose of showing, a horse, “Call Me Buster,” in the North Carolina State Fair Horse Show in Raleigh, NC, which had a metal band placed less than  $\frac{1}{2}$  inch from the coronet band.